

During a period in which Colonial Penn was forced to “downsize” as a result of its losing its key customer, AARP, to the Prudential, Mr. Leban left and marked time in his own Pennsylvania practice and as “of counsel” to a Washington, D.C. firm in largely legislative and regulatory matters. For one of his clients, American Homestead, Inc., of Mt. Laurel, New Jersey, he was successful in gaining provisions of the Garn-St Germain Depository Institutions Reform Act of 1982 which enabled that company to begin to pioneer in offering reverse mortgage products to the “house-rich, cash-poor” segment of the senior population, beginning in New Jersey and Pennsylvania and later expanding to other states. Mr. Leban then joined American Homestead full-time as V.P., General Counsel & Secretary. In the mid-1980s, Congress put an end to that company’s growth prospects when it authorized the Federal Housing Administration to insure a legislatively prescribed “home equity conversion mortgage” in a “demonstration” program which soon became, *de facto*, permanent.

In 1987, the incoming administration of Governor Robert P. Casey in Pennsylvania appointed Mr. Leban as the chief counsel of each of the Commonwealth’s retirement systems for state, public school, and municipal employees, with then combined assets of approximately \$20 billion. On the litigation side, Mr. Leban initiated retirement board proceedings and ultimately briefed and argued to the Commonwealth and Supreme Courts the high-profile “roofers’ union” cases involving the State board’s pension forfeiture orders against certain members of the state judiciary whom the Supreme Court had removed from office. On the investment side, in addition to corporate governance initiatives on behalf of the state and public school employee funds, Mr. Leban achieved national recognition for his representation of the public school fund, PSERS, as an *ex officio* member, along with CalPERS, on the official equity committee in Chapter 11 proceedings, *In re Texaco, Inc.*, 81 B.R. 806 (Bankr. S.D.N.Y. 1988). Observers credited that committee with playing a key role in the settlement of the Pennzoil-Texaco lawsuit judgment and the inclusion of important governance provisions in Texaco’s reorganization plan.

Mr. Leban left state government after the first term of the Casey administration to join the Philadelphia law firm now known as Blank Rome. As a member of the firm’s Corporate Department and chair of the firm’s Public Pension Fund Practice Group, he concentrated his work on varied corporate, tax, fiduciary, litigation, and legislative matters on behalf of both in-state and sister-state public pension funds, and provided counseling to a wide range of the firm’s corporate clients. His colleagues, Stuart Grant and Jay Eisenhofer in Blank Rome’s Wilmington office, formed their own firm in 1997, and Mr. Leban joined them soon after they commenced business.

From 1973 to 1978, Mr. Leban was a member of the Pennsylvania Humanities Council and served as its elected chairman from 1976 to 1978.

Mr. Leban resides in Wilmington, Delaware. His wife, Janet A. Leban, formerly the Executive Director of the Pennsylvania Prison Society, is the current Executive Director of the Delaware Center for Justice, Inc.

### **Gary E. Cantor**

Gary E. Cantor is a graduate of Rutgers College (B.A. with high honors 1974) where he was a member of Phi Beta Kappa, and the University of Pennsylvania Law School (J.D. 1977), where he was a member of the Moot Court Board and the author of a law review comment on computer-generated evidence. He was admitted to the Pennsylvania bar in 1977. Since joining the Berger firm in 1977, he has concentrated on complex litigation, particularly securities litigation and securities valuations. Among other cases, Mr. Cantor has served as co-lead counsel in *Steiner v. Phillips, et al.* (Southmark Securities), Consolidated C.A. No. 3-89-1387-X (N.D. Tex.), which resulted in several payments to the Settlement Fund of over \$70 million, and *In re Kenbee Limited Partnerships Litigation*, Civil Action No. 91-2174 (GEB), a class action involving 119 separate limited partnerships resulting in cash settlement and debt restructuring (with as much as \$100 million in wrap mortgage reductions). In addition, he played a major role in: *In re Marconi, Plc, Securities Litigation*, Civil Action No. 2:01-CV-1259 (W.D. Pa.) (\$7.1 million settlement approved January 16, 2004); *In re Sotheby's Holding, Inc. Securities Litigation*, No. 00 Civ. 1041 (DLC) (S.D.N.Y.) (\$70 million class settlement); *In re Fidelity/Micron Securities Litigation*, Civil Action No. 95-12676-RGS (D. Mass.) (\$10 million class settlement); *In re Tucson Electric Power Company Securities Litigation*, C.A. No. 89-1274 PHX (WPC C.D. Ariz.) (\$30 million settlement of class and derivative actions). He was also actively involved in the *Waste Management Securities Litigation* (class settlement of \$220 million).

Mr. Cantor has been active in numerous community service activities, including serving as treasurer, president and board chairman of a private school.

### **Stephen A. Whinston**

Stephen A. Whinston is a graduate of Colgate University (B.A. 1970) and Case Western Reserve University (J.D. 1973). Prior to joining the Berger firm in 1983, he was with the Special Litigation Section in the Civil Rights Division of the U.S. Department of Justice for nine years, completing his government career as a Senior Trial Attorney. Mr. Whinston was lead trial counsel for the government in complex litigation asserting constitutional rights of persons confined in criminal and civil institutions, including the well-known Alabama Prison System cases of the 1970's and 1980's. *Newman v. Alabama*, 559 F.2d 283 (5<sup>th</sup> Cir. 1977), *cert. denied*, 438 U.S. 915 (1978), *on remand*, 466 F.2d 628 (M.D. Ala. 1979); *Adams v. Mathis*, 458 F. Supp. 302 (M.D. Ala. 1978), *aff'd*, 614 F.2d 42 (5<sup>th</sup> Cir. 1980).

Upon joining the Berger firm, Mr. Whinston initially concentrated his practice on class actions in securities fraud and related fields. Mr. Whinston played a lead role on behalf of the firm in cases resulting in significant recoveries for investors, including:

A \$170 million settlement going to purchasers of annuities from affiliates of Baldwin-United Corp., *In re Baldwin-United Corp. Litigation*, 105 F.R.D. 475 (S.D.N.Y. 1984);

A \$140 million settlement for purchasers of securities issued by Premium Sales Corp., *Walco Investments, Inc. v. Thenen*, 881 F. Supp. 1576 (S.D. Fla. 1995), 168 F.R.D. 315 (S.D. Fla. 1996);

A \$71 million judgment for customers of Blinder Robinson & Co., *Hoxworth v. Blinder Robinson & Co., Inc.*, 903 F.2d 182 (3d Cir. 1990), 980 F.2d 912 (3d Cir. 1992);

A \$22 million settlement on behalf of purchasers of US Healthcare common stock, *J/H Real Estate, Inc. v. Abramson*, 901 F. Supp. 952 (E.D. Pa. 1995).

During the past five years, Mr. Whinston has spent the majority of his time litigating civil and human rights cases. Mr. Whinston was appointed to the Executive Committee in consolidated class actions filed against the three largest banks in Switzerland on behalf of Holocaust survivors whose family members had opened up Swiss bank accounts but had been denied access to them for over 50 years. The case also developed to include claims against the Swiss banks for acting as money launderers for the Nazis with regard to gold and other valuables stolen from victims of the Holocaust. Mr. Whinston participated in the negotiations which resulted in a \$1.25 billion settlement of those cases. *In re Holocaust Victim Assets Litigation*, 105 F. Supp.2d 139 (E.D.N.Y.), *aff'd*, 225 F.3d 191 (2d Cir. 2000).

Mr. Whinston was also lead counsel in cases filed against 14 German industrial companies and banks arising out of the use of slave labor and the Aryanization of Jewish assets during the

Holocaust. *Burger-Fisher v. Degussa*, 65 F. Supp.2d 248 (D.N.J. 1999)(appeal withdrawn). He was among a small group of American lawyers who participated in international negotiations sponsored by the Governments of the United States and Germany which resulted in the creation of a German Foundation with assets of \$4.5 billion for distribution to victims of slave labor and Aryanization, as well as other wrongs from the Nazi era. *In re Nazi Era Cases Against German Defendants Litigation*, 198 F.R.D. 429 (D.N.J. 2000); *Duveen v. U.S. District Court*, 250 F.3d 156 (2d Cir. 2001). He is currently litigating a case against the Government of Poland arising out of the post-War campaign of murder, harassment and the discriminatory taking of property belonging to Polish Jews who survived the Holocaust.

In the field of civil rights, Mr. Whinston represented a class of Pennsylvania prison inmates who were Vietnam veterans in an action which established a statewide treatment program for class members who were suffering from post-traumatic stress disorder as a result of their Vietnam service, *Carter v. Jeffes* (E.D. Pa. 1987), and represented one of the class members in a habeas corpus action. *Glass v. Vaughn*, 860 F. Supp. 201 (E.D. Pa. 1994), *rev'd*, 65 F.3d 13 (3d Cir. 1995), *cert. denied*, 116 S. Ct. 1027 (1996). Mr. Whinston currently represents 140 employees of a division of Sara Lee Corp. and a putative class of Aramark Corporation employees in Title VII claims.

Mr. Whinston has successfully argued cases before the Second Circuit, *Duveen, supra*, and the Third Circuit, *Hoxworth, supra*, *Blasband v. Rales*, 971 F.2d 1034 (3d Cir. 1992), as well as the Delaware Supreme Court, *Rales v. Blasband*, 634 A.2d 927 (Del. Supr. 1993). During the past two years, Mr. Whinston has successfully tried two cases to conclusion and settled one in mid-trial.

Mr. Whinston has testified before the United States House of Representatives and Senate subcommittees regarding civil rights enforcement policies. He has made numerous public presentations relating to his work on the Holocaust-related litigation, including one at the Millerville University Conference on the Holocaust in 2000. He is the author of a forthcoming article in the Berkeley Journal of International Law on a related topic. Mr. Whinston is active in various community organizations. He serves as a director of the Disabilities Law Center, a public interest law firm serving the physically and mentally disabled, and the Pennsylvania Prison Society, the oldest prison reform organization in the United States.

**Martin I. Twersky**

Mr. Twersky, a graduate of Yeshiva University (B.A. 1969, M.S. 1973), has practiced Antitrust Law and Complex Litigation at the firm for over 20 years, during which time he has successfully represented numerous plaintiffs and defendants in both individual and class actions pending in state and federal courts. His practice has involved litigation in the oil and gas, banking, airline, waste hauling, agricultural chemicals and other regulated industries. He is a graduate of the University of Pennsylvania Law School (J.D. 1980). Among other cases, he has played a leading role in the following class action cases: *In re: Graphite Antitrust Litigation* (E.D. Pa.) (Settlements of more than \$70 million dollars); *In re: Catfish Antitrust Litigation* (N.D. Miss.) (As a member of the trial team he helped obtained settlements of more than \$27 million dollars); *In re: Revco Securities Litigation* (N.D. Ohio) ("Junk Bond" class action where settlements of \$36 million were reached), and *Bogosian v. Gulf Oil* (E.D. Pa.) (Landmark litigation with settlements and injunctive relief on behalf of a nationwide class of gasoline dealers.) Mr. Twersky has also played a key role in various nonclass action cases, such as *Kutner Buick v. America Motors* (3<sup>rd</sup> Circuit 1989) (breach of contract) and *Florham Park v. Chevron* (D.N.J. 1988) (Petroleum Marketing Act case).

#### **Carole A. Broderick**

Carole A. Broderick is a 1952 graduate of Cornell University where she received a Bachelor of Arts degree. She is a 1957 graduate of the University of Pennsylvania Law School, where she was awarded an L.L.B. and was a member of the *Law Review*. She has practiced before the Securities and Exchange Commission and actively participated in the prosecution and trial of complex securities and antitrust litigation. She is admitted to practice law in the Commonwealth of Pennsylvania.

#### **Barbara A. Podell**

Barbara A. Podell, who joined the Berger firm as a shareholder in the Securities Group in early 2002, holds a Bachelor's degree from the University of Pennsylvania (B.A. 1972 *cum laude* with distinction in Art History). She attended the Institute of Fine Arts of New York University, and from 1973 to 1975, and was a full-time faculty member at Temple University, Philadelphia, Pennsylvania, in the Department of Art History. In 1978, Ms. Podell received a Juris Doctor degree (*magna cum laude*) from the Temple University School of Law, where she was one of the top nine students in the graduating class and was Editor-in-Chief of the Temple Law Quarterly (Volume 51). Prior to joining the Berger firm, Ms. Podell was a member of the firm of Savett Frutkin Podell & Ryan, P.C., and before that, a shareholder at Kohn, Savett, Klein & Graf, both in Philadelphia.

She is admitted to practice before the Supreme Court of Pennsylvania, the United States Court of Appeals for the Third Circuit, and the United States District Court for the Eastern District of Pennsylvania. She is a member of the American, Pennsylvania, and Philadelphia Bar Associations and has achieved an "AV" rating (the highest rating) in Martindale-Hubbell.

#### **Peter R. Kahana**

Peter R. Kahana is a Phi Beta Kappa graduate of Dickinson College (B.A. *magna cum laude* 1977) with a degree in Philosophy. Mr. Kahana graduated from Villanova Law School (J.D. 1980) where he was a member of the *Villanova Law Review*. He is admitted to practice in the Commonwealth of Pennsylvania and has clerked at the appellate court level for The Honorable Gwilym A. Price, Jr., of the Superior Court of Pennsylvania. Following his clerkship, Mr. Kahana joined the Berger firm in 1981. Mr. Kahana has diverse trial and appellate court experience in complex civil and class action litigation, and he has successfully represented both plaintiffs and defendants in numerous state and federal courts across the country. Mr. Kahana has also played a leading role in major antitrust and environmental litigation, including cases such as *In re Brand Name Prescription Drugs Antitrust Litigation* (\$723 million settlement), *In re Ashland Oil Spill Litigation* (\$30 million settlement), and *In re The Exxon Valdez* (\$286 million compensatory damage and \$5 billion punitive damage award – currently on appeal). In connection with his work as a member of the litigation team that prosecuted *In re The Exxon Valdez*, Mr. Kahana was selected to share the 1995 Trial Lawyer of the Year Award by The Trial Lawyers for Public Justice Foundation.

#### **Ruthanne Gordon**

Ruthanne Gordon is a graduate of the University of Michigan (B.A. 1974) and the University of Pennsylvania Law School (J.D. 1979). Prior to joining the Berger firm, Ms. Gordon was an attorney with the United States Environmental Protection Agency specializing in hazardous waste litigation. Since joining the Berger firm in 1982, she has concentrated on the litigation of antitrust, securities and environmental class actions, and derivative litigation, including: *State of Connecticut v. Philip Morris, Inc., et al.*, in which the State of Connecticut recovered approximately \$3.6 billion (excluding interest) from certain manufacturers of tobacco products; *In re Commercial Tissue Antitrust Litigation*; *RJR Nabisco Securities Litigation*; *Feldman v. Motorola*; *In re Philadelphia Electric Company Derivative Litigation*; *In re W.R. Grace Derivative Litigation*; *In re PSE&G*



*Derivative Litigation* (appeal pending); and *In re Louisville Explosions Litigation*, a class action against Ralston Purina Company, on behalf of a class of Louisville, Kentucky residents who suffered property damage from extensive sewer explosions, which was prosecuted through a six-week trial and settled at the close of plaintiffs' case for more than one hundred percent of actual damages.

In addition, Ms. Gordon represented a class of Pennsylvania inmates in a federal civil rights class action, which resulted in the establishment of a statewide treatment program for Pennsylvania inmates suffering from post-traumatic stress disorder as a result of their service in the Vietnam war.

### **Jeanne A. Markey**

Jeanne A. Markey is a graduate of Colgate University (B.A. *cum laude* 1979) and the Cornell Law School (J.D. 1983), where she was on the Moot Court Board. She was admitted to the Pennsylvania bar in 1983. Since joining the Berger firm, she has been actively involved in various complex class action litigations, focusing primarily on securities class action litigation.

### **Russ Henkin**

Russ Henkin graduated from American University in Washington, D.C. in 1969 with a Bachelor of Science Degree with honors. He graduated from the University of Pennsylvania Law School in 1972. Mr. Henkin was law clerk to Honorable Maurice W. Sporkin in the Pennsylvania Court of Common Pleas for Philadelphia County from 1972 through 1975. From 1973 through 1975, he also worked in a small personal injury firm, trying plaintiffs' personal injury cases. He worked as an associate with the Berger firm from 1975 through 1980. During that time, he was involved in or tried complex civil litigation matters. His cases included fraud matters, securities matters, breach of contract, restrictive employment covenant litigation, eminent domain litigation, and divorce, among other fields.

From 1980 through 1991, he was associated with another firm, again involved in trials of complex civil litigation matters. His cases involved antitrust, bankruptcy litigation and reorganization, contracts, malpractice, products liability, employment discrimination, commercial disparagement litigation, business separation litigation, emotional distress litigation, claims and defense under the Racketeer Influenced and Corrupt Organization Act ("RICO"), stock fraud and foreclosure/workout

and other trials. Representative results included confirmation of a \$20 million plan of reorganization for a psychiatric hospital company, and successful defense against a \$30 million RICO suit.

In June 1991, Mr. Henkin returned to the Berger firm, and is again trying complex civil matters. Those matters involve areas such as stock fraud, class action personal injury, breach of contract and consumer fraud, and lender liability. In one of his cases, he achieved a \$30 million recovery in a claimed 10 year verbal contract case.

Mr. Henkin is admitted to practice law in the Commonwealth of Pennsylvania and the State of Florida.

#### **Peter Nordberg**

Peter Nordberg is a graduate of Harvard College (A.B. *cum laude* 1980) and the University of Pennsylvania Law School (J.D. *cum laude* 1985), where he received the Fred G. Leebron Award in Constitutional Law and the John H. Maurer Memorial Prize in Criminal Procedure, and where he served as an Executive Editor of the *University of Pennsylvania Law Review*, authoring "The Petition Clause and Unauthorized Practice Rules," 132 U. Pa. L. Rev. 1515 (1984). Since joining Berger & Montague in 1990, Mr. Nordberg has practiced in state and federal courts across the nation, in diverse areas of complex civil litigation, including mass tort and environmental litigation, qui tam actions, antitrust matters, and ERISA litigation. He is admitted to practice in Pennsylvania and is a member of the bars of the U.S. Courts of Appeals for the Third, Fifth, Ninth, and Tenth Circuits.

#### **Lawrence Deutsch**

Lawrence Deutsch is a graduate of Boston University (B.A. 1973), George Washington University's School of Government and Business Administration (M.S.A. 1979), and Temple University's School of Law (J.D. 1985). He became a member of the Pennsylvania Bar in 1986 and the New Jersey Bar in 1987. He has also been admitted to practice in Eastern District of Pennsylvania, the First Circuit Court of Appeals, the Second Circuit Court of Appeals, the Third Circuit Court of Appeals, the Supreme Court of Pennsylvania, the Supreme Court of New Jersey, and the U.S. Court of Federal Claims.



Prior to joining the Berger firm, Mr. Deutsch was in the Peace Corps from 1973-1976, working in Costa Rica, the Dominican Republic and Belize. He then worked for ten years at the United States General Services Administration. At the Berger firm, Mr. Deutsch has been involved in numerous securities class action cases, currently serving as one of the lead counsel in the *In Re Sunbeam Securities Litigation* class action concerning "Chainsaw" Al Dunlap (resulting in settlements of over \$128 million for the class). Recently, Mr. Deutsch, as sole lead counsel, successfully argued to the First Circuit, resulting in its ruling over-turning a dismissal order in *Aldridge v. A.T. Cross Corp., et al.*, 284 F.3d 72 (1st Cir. 2002). Mr. Deutsch has also represented plaintiffs in numerous matters of corporate governance, broker-dealer arbitrations, and general business litigation. Notably, Mr. Deutsch successfully argued before the Delaware Supreme Court in *Rossdeutscher v. Viacom*, 768 A.2d 8. (Del. Supr. 2001)

In addition to his litigation work, Mr. Deutsch has been a member of the firm's Administrative Committee and also supervises the firm's paralegals. Mr. Deutsch has been a member of the Philadelphia Bar Association's Committee on Securities Regulations and a participant in the Bar's VIP program to provide legal services for the indigent. Mr. Deutsch is also active in public activities on behalf of children with disabilities, serving as President of the Pathway Parents Association.

#### **Lawrence J. Lederer**

Lawrence J. Lederer, a shareholder of the Berger firm, concentrates in complex commercial litigation. He has represented plaintiffs and defendants in class and individual actions for over a decade, particularly in the securities, bankruptcy and contract areas.

In securities litigation, Mr. Lederer participated in several class and individual actions resulting in multi-million dollar recoveries for plaintiff investors, including the celebrated Drexel/Milken/Boesky complex of cases. *See, e.g., In re Michael R. Milken and Associates Securities Litigation*, MDL Dkt. No. 924, Master File No. M21-62 (MP), 1993 U.S. Dist. LEXIS 14242, 1993 WL 413673 (S.D.N.Y. Oct. 7, 1993) (approving approximately \$1.3 billion overall settlement with Michael R. Milken and related persons and entities), *aff'd*, 995 F.2d 1138 (2d Cir. 1993); *Presidential Life Insurance Co. v. Milken, et al.*, 946 F. Supp. 267 (S.D.N.Y. 1996) (\$50 million settlement in novel "global" class action of all previously unasserted claims against some 500 defendants); *In re Ivan F. Boesky Securities Litigation*, 948 F.2d 1358 (2d Cir. 1991) (affirming district court approval of "first tier" settlements totaling approximately \$29 million against Ivan F. Boesky and others; related "second

tier" class, derivative and other settlements subsequently approved totaling in excess of \$200 million).

Mr. Lederer has also represented individuals in cases arising under the federal securities laws which have resulted in important judicial decisions regarding jurisdiction and procedure. *See, e.g., Ginsburg v. Faragalli*, 776 F. Supp. 806 (S.D.N.Y. 1991) (holding that a federal court's jurisdiction over a defendant encompasses the boundaries of the United States under the nationwide service of process provisions of the Securities Exchange Act of 1934, 15 U.S.C. 78aa). He also assisted in representing an individual charged with "insider trading" through a criminal jury trial in federal court, and in parallel civil proceedings brought by the SEC. *United States v. Pileggi*, No. 97-CR-612-2, 1998 U.S. Dist. LEXIS 8068 (E.D. Pa. June 3, 1998), *aff'd*, No. 98-1811, 1999 U.S. App. LEXIS 18592 (3d Cir. July 22, 1999).

In bankruptcy litigation, Mr. Lederer helped obtain millions of dollars for investors in the complex Chapter 11 proceedings involving the former investment banking and brokerage firm Drexel Burnham Lambert, including through appeals before the United States Court of Appeals for the Second Circuit and the United States Supreme Court. *See, e.g., In re The Drexel Burnham Lambert Group, Inc.*, 130 B.R. 910 (Bankr. & S.D.N.Y. Aug. 20, 1991), *aff'd*, 960 F.2d 285 (2d Cir. 1992), *cert. denied*, 506 U.S. 1088 (1993).

Mr. Lederer currently serves as plaintiffs' counsel for the principals of a privately held corporation which merged into a large public company in a breach of contract and securities case pending in state court. In addition, he also currently represents investors in several class actions pending in federal and state courts who assert federal securities and other claims.

Mr. Lederer graduated from Georgetown University Law Center (LL.M. 1988); Western New England College School of Law (J.D. 1987), where he was a member of *Western New England Law Review*; and the University of Pittsburgh, where he was managing editor of *The Pitt News*, and co-captain (1983) and captain (1984) of the men's varsity tennis team (B.A. 1984).

Mr. Lederer is admitted to practice law in Pennsylvania, the District of Columbia, the United States District Courts for the Eastern and Western Districts of Pennsylvania, and has appeared *pro hac vice* in several other federal and state courts throughout the country. He is an active participant in The

Hunger Project, an organization headquartered in New York which is committed to the sustainable end of chronic world hunger. See [www.thp.org](http://www.thp.org).

**Jerome M. Marcus**

Jerome M. Marcus attended the University of Chicago, from which he received his B.A. in 1980, his M.B.A. in 1981 and his J.D. in 1986. He was Associate Editor of the *University of Chicago Law Review*, and Executive Editor of the *Legal Forum of the University of Chicago*. He then served as Law Clerk for the Hon. Edward R. Becker, U.S. Court of Appeals for the Third Circuit in 1986-1987. He was Special Assistant to the Legal Advisor, U.S. Department of State in 1987-1988; Assistant U.S. Attorney in the Eastern District of Pennsylvania in 1991-1993. He served as a Consultant to the National Commission on Judicial Discipline and Removal, 1992-1993. Since joining the Berger firm, he has practiced primarily in the area of antitrust, health care and employee benefits, and appellate litigation.

**David F. Sorensen**

Mr. Sorensen graduated from Duke University (B.A. *magna cum laude* 1983) and from Yale University (J.D. 1989). He was Law Clerk to the Hon. Norma L. Shapiro, U.S. District Court, Eastern District of Pennsylvania, 1990-1991. He was admitted to the Pennsylvania bar in 1989, and is admitted to practice in various federal courts, including the Eastern District of Pennsylvania, and the United States Courts of Appeals for the Ninth, Tenth, and Eleventh Circuits.

Mr. Sorensen practices in the areas of complex mass tort and antitrust class action litigation. He played a major role in the firm's representation of the State of Connecticut in *State of Connecticut v. Philip Morris, Inc., et al.*, in which Connecticut recovered approximately \$3.6 billion (excluding interest) from certain manufacturers of tobacco products; and in the firm's nuclear weapons facilities cases. He is currently involved in several class cases in which he represents direct purchasers of brand name drugs, who allege that pharmaceutical manufacturers have conspired to keep less expensive generic drugs off of the market, in violation of federal antitrust laws. In one such case, Mr. Sorensen was significantly responsible for winning class certification. See *In re Terazosin Hydrochloride Antitrust Litigation*, \_\_\_ F.R.D. \_\_\_, 2001 WL 1160789 (S.D. Fla. 2001).

**Arthur Stock**

Arthur Stock is a graduate of Yale University (B.A. with distinction in economics 1984) and the Duke University School of Law (J.D. with high honors 1990), where he served as Articles Editor of the *Duke Law Journal*. He is the co-author with Sherrie R. Savett of "What to Plead and How to Plead the Defendant's State of Mind in a Federal Securities Class Action: The Plaintiff's Perspective," Practising Law Institute, 30th Annual Institute of Securities Regulation, Vol. 2, p. 807 (1998) and author of "Justice Scalia's Use of Sources in Statutory and Constitutional Interpretation: How Congress Always Loses," 1990 Duke L.J. 160. He has also written political commentary for *Slate.com* magazine. From 1990 to 1991, he served as a law clerk to the Honorable Jackson L. Kiser, United States District Court for the Western District of Virginia.

Since joining the Berger firm in 1991, Mr. Stock has concentrated in securities litigation. He has litigated numerous significant cases vindicating the rights of investors, including: *Blasband v. Rules*, 979 F.2d 324, 971 F.2d 1034 (3d Cir. 1992), and 634 A.2d 927 (Del.1993); *In re Livent, Inc. Secur. Litig.*, 78 F. Supp. 2d 194 (S.D.N.Y. 1999); *In re: Synergen, Inc. Secur. Litig.*, 863 F. Supp. 1409 (D. Colo. 1994); *J/H Real Estate Inc. v. Abramson*, 901 F. Supp 952 (E.D. Pa 1995); *In re: U.S. Bioscience Secur. Litig.*, 155 F.R.D. 116 (E.D. Pa. 1994), 150 F.R.D. 80 (E.D. Pa. 1993) and 806 F. Supp. 1197 (E.D. Pa. 1992). Mr. Stock is admitted to practice law in the Commonwealth of Pennsylvania.

#### **Jonathan D. Berger**

Jonathan D. Berger is a graduate of the Wharton School of the University of Pennsylvania (B.S., Economics, 1980) and the Delaware Law School (J.D. 1985). Mr. Berger was a Judicial Law Clerk for the Honorable Charles P. Mirarchi, Jr., Court of Common Pleas of Philadelphia in 1986 and 1987. Since joining Berger & Montague, in September 1987, he has been involved in class actions and complex commercial litigation including the *Exxon Valdez Oil Spill Litigation*; *Norplant Contraceptive Litigation*; *In re Domestic Airlines Antitrust Litigation*, 137 F.R.D. 677 (N.D. Ga. 1991); *Ford/Firestone MDL Litigation*; *Unisys ERISA Benefits Litigation*; *In re Asbestos School Litigation*, Master File No. 83-0268 (E.D. Pa); *Commercial Explosives Antitrust Litigation*; and *Vitamins Antitrust Litigation*. Additionally, Mr. Berger has been actively engaged in other complex cases including multi-party litigation involving hydraulic engineered systems.

#### **Bart D. Cohen**

Bart Cohen graduated from the University of Pennsylvania in 1984 with two degrees, from the Wharton School and the School of Engineering and Applied Science. After working as a software developer, he graduated in 1989 from the Georgetown University Law Center, where he was a member of the American Criminal Law Review, and authored the "1987 Computer Crime Update" in the journal's survey of white collar crime. Since joining the Berger firm in 1991, Mr. Cohen has concentrated on antitrust litigation, including *In re Infant Formula Antitrust Litigation*, (N.D. Fla. 1993), *In re Carbon Dioxide Antitrust Litigation*, (M.D. Fla. 1996), and *Callahan v. A.E.V., Inc.*, 182 F.3d 237 (3rd Cir. 1999) (reversing dismissal of antitrust claims of several small beer distributors). He has also represented an automobile dealership in antitrust litigation against its franchisor, *Mercedes-Benz, U.S.A. v. Coast Automotive Group, Ltd.*, (D.N.J.). Mr. Cohen is admitted to practice in the Commonwealth of Pennsylvania, the Eastern District of Pennsylvania and the Eleventh Circuit Court of Appeals.

#### **Michael T. Fantini**

Michael T. Fantini is a graduate of Saint Joseph's University (B.S. *magna cum laude* 1986) and George Washington National Law Center (J.D. with honors 1989), where he was a member of the Moot Court Board. Prior to joining the Berger firm, he was a litigation associate in the Washington, D.C. office of Dechert, Price & Rhoads. Since joining the Berger firm in 1992, Mr. Fantini has concentrated in consumer and securities fraud class action litigation. Some notable consumer fraud cases include: *Fitz, Inc. v. Ralph Wilson Plastics Co.*, No: 1-94-CV-06017(D. N.J.) (defective contact adhesives); *Parker, et al v. American Isuzu Motors, Inc.*, No: 3476 (CCP, Philadelphia County) (faulty brakes); *Block v. McDonald's Corporation*, No: 01CH9137 (Cir. Ct. of Cook County, Ill.) (failure to disclose beef fat in french fries). Some notable securities cases include: *In re PSINet Securities Litigation*, No: 00-1850-A (E.D. Va.) and *In re Nesco Securities Litigation*, 4:01-CV-0827 (N.D. Okla.). Mr. Fantini also was involved in *Benzman, et al v. Whitman, et al*, No: 04-01888 (S.D. N.Y.), a class action suit brought by residents, students, and office workers of Lower Manhattan against the Environmental Protection Agency and certain of its top officials for their failure to clean up hazardous substances after the September 11, 2001 terrorist attacks. Mr. Fantini is licensed to practice in the Commonwealth of Pennsylvania and the District of Columbia.

#### **Jonathan Auerbach**

Mr. Auerbach graduated from the University of Pennsylvania (B.A. 1983) and Temple University School of Law (J.D. 1991), where he was a William R. Spofford Scholar. Since joining Berger & Montague in 1991, Mr. Auerbach has concentrated much of his practice on matters involving complex scientific and medical issues. His primary practice areas have included environmental, mass tort, antitrust, ERISA, civil rights and consumer fraud litigation. From 1983 to 1988, he was a research associate and teaching fellow in the Department of Epidemiology at the University of Pittsburgh's School of Public Health. During law school, Mr. Auerbach was a judicial intern for the Hon. John T. J. Kelly, Jr. of the Pennsylvania Superior Court. He also served as a policy analyst with the Philadelphia Mayor's Office of Drug Control Policy. He has been a member of the Society for Epidemiologic Research. Mr. Auerbach is admitted to the bar in Pennsylvania and New Jersey, and has been admitted to practice before the United States District Courts for the Eastern District of Pennsylvania, New Jersey and the United States Court of Appeals for the Third Circuit. Mr. Auerbach has also been involved on a *pro bono* basis as a court-appointed Child Advocate and guardian *ad litem* on behalf of abused and neglected children through the Philadelphia Support Center for Child Advocates.

#### Eric L. Cramer

Eric L. Cramer is a *summa cum laude* graduate of Princeton University (A.B. 1989), where he was elected to Phi Beta Kappa, and a *cum laude* graduate of Harvard Law School (J.D. 1993). He is admitted to practice in Pennsylvania and New York, and various federal courts, including the Eastern District of Pennsylvania, and the United States Courts of Appeals for the Third, Sixth, and Ninth Circuits.

Since joining the Berger Firm in 1995, he has concentrated his practice in complex litigation, representing, among others, victims of mass torts and those injured by violations of antitrust and consumer protection laws. Mr. Cramer is currently involved in several class cases in which he represents direct purchasers of brand name drugs, charging pharmaceutical manufacturers with conspiring to keep less expensive competitor drugs off of the market in violation of federal antitrust laws, and thereby forcing all purchasers to pay higher prices for prescription medications. In one such case, Mr. Cramer was significantly responsible for winning class certification. *See In re Cardizem Antitrust Litigation*, 200 F.R.D. 297 (E.D. Mich. 2001).



Mr. Cramer has also represented several victims of human radiation experimentation carried out by the federal government in conjunction with state and private actors as part of the U.S. atomic weapons program during the Cold War. He has been involved in settling two such cases on behalf of prisoner experimentation subjects for over \$4.7 million combined, and was principally responsible for a reversal by the Ninth Circuit Court of Appeals of a summary judgment dismissal of one of those cases on statute of limitations grounds. *See Bibeau, et al. v. Pacific Northwest Research Foundation, et al.*, 188 F.3d 1105 (9<sup>th</sup> Cir. 1999).

Mr. Cramer is also active in community affairs, specifically those involving public education. He is a founder and Vice-President of the Board of Trustees of the Independence Charter School, for which he also acted as litigation counsel. After a successful appeal to the Pennsylvania Charter School Appeal Board, which granted the school a charter, Mr. Cramer secured an affirmance by the Commonwealth Court. *See School District of Philadelphia v. Independence Charter School*, 2001 Pa. Commw. LEXIS 279 (May 3, 2001). As a result, the Center City Philadelphia charter school opened its doors to nearly three-hundred elementary age school children in the Fall of 2001. Mr. Cramer also serves on the Board of the Center for Literacy, the largest adult literacy organization in the Delaware Valley. In addition, he has served as a volunteer mentor to students at the Stetson Middle School in North Philadelphia.

#### Edward Millstein

Ted Millstein is a *summa cum laude* graduate of Temple University (B.A.1988) where he was selected as a Presidential Scholar and elected to Phi Alpha Theta, and the University of Pennsylvania Law School (J.D. 1991). He is admitted to practice in Pennsylvania and New Jersey and various federal courts.

Mr. Millstein has concentrated his practice in antitrust and human rights litigation. For example, he currently represents a publicly traded company in an action alleging price fixing in the carbon fiber industry. He has also represented independent service organizations in litigation against a medical equipment manufacturer arising out of its restrictive parts and service policies. *See Red Lion Med. Safety, Inc. v. Ohmeda, Inc.*, 63 F. Supp. 2d 1218 (E.D. Cal. 1999).

During the past two years, Mr. Millstein has spent a substantial portion of his time litigating cases arising from the Holocaust. He was counsel in cases filed against 14 German industrial companies

and banks arising out of the use of slave labor and the Aryanization of Jewish assets during the Holocaust. He was among a small group of American lawyers who participated in international negotiations sponsored by the Governments of the United States and Germany which resulted in the creation of a German Foundation with assets of \$5 billion which will be distributed to victims of slave labor and Aryanization, as well as other wrongs from the Nazi era. Mr. Millstein was a signatory to the Joint Statement affirming the establishment of the German Foundation. He was also one of the attorneys whose efforts were specifically referenced by Deputy Secretary of the Treasury Stuart Eizenstat in his remarks and published statements on behalf of the United States government. He is currently litigating a case against the Government of Poland arising out of the post-War campaign of murder, harassment and the discriminatory taking of property belonging to Polish Jews who survived the Holocaust.

Mr. Millstein has lectured to Holocaust survivor groups and is active in numerous charitable endeavors. He is also member of the Philadelphia Bar Association Federal Courts Committee.

#### **Bret Flaherty**

Bret Flaherty graduated from the University of Pennsylvania (B.A. 1989 in Economics and Political Science) and from Tulane University Law School (J.D. *cum laude* 1992). He is admitted to practice in the Commonwealth of Pennsylvania.

He specializes in complex commercial and consumer protection litigation and transactional corporate law. He was the sole associate for a claimed 10 year verbal contract case which resulted in a \$30 million recovery for the client. *See Provident American Corp. and Provident Indemnity Life Insurance Company v. The Loewen Group Inc. and Loewen Group International Inc.*, E.D. Pa., Civil Action No. 92-1964.

Lastly, Mr. Flaherty is actively involved with Asian American United, a community based organization located in Chinatown serving Philadelphia's diverse Asian communities.

#### **Charles P. Goodwin**

Mr. Goodwin joined Berger & Montague, following his 1992 graduation *cum laude* from the University of Pennsylvania Law School, where he was an editor of the *University of Pennsylvania*

*Law Review*. Prior to attending law school, Mr. Goodwin graduated *cum laude* from Williams College (where he received the Graves Essay Prize in economics), and enrolled in graduate studies in economics at Stanford University. Mr. Goodwin also has engaged in commercial litigation practice in New York. With Berger & Montague, Mr. Goodwin is concentrating in antitrust and employee benefits litigation. Mr. Goodwin is admitted to practice law in the Commonwealth of Pennsylvania.

#### **Susan Schneider Thomas**

Susan Schneider Thomas is a graduate of Brandeis University (B.A. *magna cum laude* 1977) and Temple University School of Law (J.D. *cum laude* 1980), where she was a staff member and Associate Articles Editor of the *Temple Law Quarterly* and interned with the Hon. Edward R. Becker, then on the United States District Court for the Eastern District of Pennsylvania. She was admitted to the Pennsylvania Bar in 1980. In 1980-81, she was a law clerk to the Honorable Dolores K. Sloviter of the United States Court of Appeals for the Third Circuit. Subsequently she was an associate at Schnader, Harrison, Segal & Lewis, Philadelphia, and Greenfield & Chimicles, in Haverford, Pennsylvania, where she was actively involved in the litigation of complex securities fraud. From 1985 to 1989 as an associate at Berger & Montague, she concentrated her practice in complex securities and derivative actions. Upon leaving the Berger firm, Ms. Thomas was a partner in the law firm of Zlotnick & Thomas from 1989 through 1995, where she had primary responsibility for the litigation of several major securities class actions including *Geist v. New Jersey Turnpike Authority*, C.A. No. 92-2377 (D.N.J.), a bond redemption case that settled for \$2.25 million; *Burstein v. Applied Extrusion Technologies*, C.A. No. 92-12166-PBS (D. Mass.), which settled for \$3.4 million. Ms. Thomas returned to the Berger firm in 1996.

#### **Robin Switzenbaum**

Robin Blumenfeld Switzenbaum is a graduate of Barnard College (B.A. *cum laude* 1976) and the University of Pennsylvania Law School (J.D. 1985). Before law school, Ms. Switzenbaum was engaged in the development of commercial and residential real estate in Pennsylvania and New Jersey. During that time, Ms. Switzenbaum served on the board of directors of the Home Owners Warranty Council for Southeastern Pennsylvania and the Home Builders Association for Montgomery and Bucks Counties. Before becoming Of Counsel to the Berger firm in October, 1989, Ms. Switzenbaum was an associate with the Philadelphia firm of Saul, Ewing, Remick & Saul

specializing in real estate, bankruptcy and zoning matters. Since joining the Berger firm, Ms. Switzenbaum has concentrated in complex civil and securities litigation. Ms. Switzenbaum has been a shareholder of the firm since 2002. Ms. Switzenbaum has been involved in several securities class actions involving major banking institutions including *In re Northeast Bancorp*, Case No. N-90-24 (D. Conn) (\$4.9 million settlement), *In re Chase Manhattan Bank*, Case No. 90 Civ. 6092 (S.D.N.Y. 1992) (\$17.5 million settlement), and *In re Midlantic*, Case No. 90-1275 (D.N.J.) (\$9 million settlement). More recently, Ms. Switzenbaum was part of the litigation team in *In re Rite Aid Securities Litigation*, MDL 1360 (E.D. Pa.) (\$334 million settlement) and *In re Sunbeam Securities Litigation*, 98-8258-Civ-Middlebrooks (S.D. Fla.) (\$142 million settlement). In addition, Ms. Switzenbaum served as one of the co-lead counsel in *In re ShopKo Stores, Inc. Securities Litigation*, Case No. 01-C-1034 (E.D. Wis.) (\$4.9 million settlement). Currently, Ms. Switzenbaum represents a class of holders of a publicly traded common stock who were denied their preemptive rights, *Korman v. InKine Pharmaceutical*, Case No. 04341 (CCP, Phila. County), and two trustees of liquidating trusts bringing actions against officers and directors of insolvent companies. Ms. Switzenbaum is a member of the bar in Pennsylvania, New Jersey, Florida, and California and an arbitrator with the New York Stock Exchange. Ms. Switzenbaum also serves as a volunteer guide at the Philadelphia Museum of Art and on the advocates board of the Mural Arts Program, chairing the Fundraising Committee.

## **OUR ASSOCIATES:**

### **Elizabeth W. Fox**

Elizabeth Williams Fox is a graduate of Bryn Mawr College (B.A., *cum laude*, with honors in Anthropology 1963) and the University of Pennsylvania (M.S. in Education 1972; J.D. 1980). Before attending law school, Ms. Fox taught history and social studies at the Baldwin School where she became Head of the History Department. After law school, Ms. Fox joined Ballard, Spahr, Andrews & Ingersoll as an associate where she practiced employment law and general commercial litigation. In 1985, she joined Hoyle, Morris & Kerr where she specialized in toxic torts and insurance coverage litigation, first as an associate and later as a partner. She joined Berger & Montague in July 2001 where she concentrates in securities litigation.

### **Sheryl Saltzberg Levy**

Sheryl S. Levy has been an associate at the firm since March, 1988. She received a Bachelor of Arts degree (*cum laude*) from the University of Pennsylvania in 1984, and a Juris Doctorate degree at the National Law Center of George Washington University in 1987 (*cum laude*). While attending law school, Ms. Levy served as an editor of the *George Washington Journal of International Law and Economics*. Prior to joining Berger & Montague, Ms. Levy was associated with the Philadelphia firm of Pechner, Dorfman, Wolffe, Rounick & Cabot. Ms. Levy has worked on a variety of complex litigation matters, primarily in the areas of commercial and mass tort litigation. She is admitted to practice law in Pennsylvania.

### **Neil F. Mara**

Neil F. Mara is a graduate of the College of the Holy Cross (B.A. 1987) and the University of Connecticut (J.D. 1991) where he was a member of the executive board of the Moot Court Honor Society. Mr. Mara was an Assistant District Attorney in Philadelphia, Pennsylvania, from 1991-1997. He was also a Special Assistant United States Attorney for the Eastern District of Pennsylvania, 1996-1997, where he prosecuted large narcotics organizations. Since joining the Berger firm, he has concentrated on environmental litigation and securities litigation. Mr. Mara is admitted to practice law in Connecticut, Pennsylvania, and various federal courts.

**Peter Russell Kohn**

Peter Kohn is a 1989 graduate of the University of Pennsylvania (B.A., English) and a 1992 *cum laude* graduate of Temple University Law School, where he was senior staff for the *Temple Law Review* and recipient of awards for trial advocacy. Prior to joining the firm in July of 2000, Mr. Kohn defended products liability, toxic and mass tort cases on behalf of insureds and self-insureds at LaBrum & Doak (1992-1994) and prosecuted toxic tort, civil rights, class, and MDL actions at Monheit, Monheit, Silverman & Fodera (1994-2000), where he specialized in lead-based paint-related litigation. He is a member of the bars of the Supreme Court of Pennsylvania (1992-present), the United States District Court for the Eastern District of Pennsylvania (1995-present), and the United States Court of Appeals for the Third Circuit (2000-present), as well as of the Association of Trial Lawyers of America and Trial Lawyers for Public Justice. Mr. Kohn is an member of the legal advisory board for Quackwatch, an affiliate of the National Council for Reliable Health Information.

**Ellen T. Noteware**

Ms. Noteware earned her undergraduate degree from Cornell University (B.S. 1989) and graduated first in her class from the University of Wisconsin Law School (J.D. 1993) where she served as Associate Editor of the Wisconsin Law Review.

Following graduation, Ms. Noteware clerked for the Honorable J. Calvitt Clarke, Jr. in the United States District Court for the Eastern District of Virginia. Prior to joining Berger & Montague, Ms. Noteware handled complex commercial litigation, products liability, employment law, ERISA and trade secret disputes as an associate at Arnold & Porter in Washington, D.C. and at Morgan, Lewis & Bokius in Philadelphia. Ms. Noteware continues to handle complex litigation and class action matters as a member of Berger & Montague's Antitrust Department.

**Phyllis Maza Parker**

Phyllis Maza Parker is a graduate of Yeshiva University (B.A. *cum laude* 1969), Columbia University (M.A. French Literature 1971), Boston University, Brussels Belgium (M.S. in Management), and Temple University School of Law (J.D. *cum laude* 1995), where she was



a member of the *Temple Law Review* and published a Note on the subject of the Federal Sentencing Guidelines. After her first year of law school, Ms. Parker interned with the Honorable Dolores K. Sloviter of the United States Court of Appeals for the Third Circuit. Following graduation from law school, Ms. Parker served as law clerk to the Honorable Murray C. Goldman of the Court of Common Pleas in Philadelphia, Pennsylvania. Since joining the Berger firm in September, 1996, Ms. Parker has been involved in various complex class action litigations, focusing primarily on securities class action litigation. She is admitted to practice in Pennsylvania and New Jersey as well as the Eastern District of Pennsylvania.

#### **Glen L. Abramson**

Glen L. Abramson is a graduate of Cornell University (B.A. *with distinction* 1993), where he was a member of Phi Beta Kappa, and the Harvard Law School (J.D. *cum laude* 1996), where he was a member of the Harvard Legal Aid Bureau.

Upon graduation from law school, Mr. Abramson was an associate at Dechert, Price & Rhoads in Philadelphia, where he handled complex commercial litigation, product liability, intellectual property and civil rights disputes. Prior to joining Berger & Montague, P.C. in 2003, Mr. Abramson spent three years as a professional equities trader.

Mr. Abramson is admitted to practice law in Pennsylvania and New Jersey. He concentrates his practice in the area of complex securities class action litigation.

#### **Lane L. Vines**

Lane L. Vines is a graduate of the University of Wisconsin-Madison (B.B.A.-Accounting, Graduated with Distinction, 1988) and Villanova University School of Law (J.D. 1997). During law school, Mr. Vines was a member of the *Villanova Law Review* and served as a Managing Editor of *Outside Works*. Prior to joining the Berger firm, Mr. Vines was a law clerk for the Honorable James R. Melinson, Chief U.S. Magistrate Judge for the Eastern District of Pennsylvania. He is admitted to practice in Pennsylvania and New Jersey. Mr. Vines joined the Berger firm in July, 1999 and practices in the complex securities litigation area.

**Michael C. Dell'Angelo**

Michael C. Dell'Angelo graduated from Connecticut College (B.A. 1994) and The Catholic University of America, Columbus School of Law (J.D. 1997). He was a member of the Moot Court Honor Society and Phi Delta Phi.

At Berger & Montague, Mr. Dell'Angelo specializes in antitrust and complex litigation. He is a member of the Philadelphia and American Bar Associations and the American Trial Lawyer's Association. Mr. Dell'Angelo has been admitted to practice law in Pennsylvania and New Jersey.

Prior to joining Berger & Montague, Mr. Dell'Angelo was an associate at Miller Faucher and Cafferty LLP, where he concentrated in antitrust, securities, and complex commercial litigation. He also devoted a substantial portion of his practice to the prosecution of numerous class action law suits on behalf of survivors of slave labor during the Holocaust. These suits, against German companies, resulted in a \$5.2 billion German Foundation to pay Nazi-era claims.

Mr. Dell'Angelo has also participated in the representation of an individual corporate client before the Federal Trade Commission in connection with the proposed merger of Time Warner, Inc., and CDnow, Inc. His *pro bono* work includes the representation of an Alabama death row inmate in a habeas corpus action.

**Douglas M. Risen**

Douglas Risen graduated from Penn State University (B.A. *magna cum laude* 1994) and from the University of Pennsylvania Law School (J.D. 1997). He is admitted to practice in Pennsylvania. Prior to joining the firm, Mr. Risen traded equities via the Philadelphia Stock Exchange. Mr. Risen joined the Berger firm in November, 1998 and practices in the complex securities class action litigation area.

**Neill W. Clark**

Neill W. Clark graduated *cum laude* from Appalachian State University in 1994 (B.A.) and from Temple University School of Law in 1998 (J.D.), where he earned seven “distinguished class performance” awards, an oral advocacy award and a “best paper” award. After graduating from law school, he clerked for Judge Stephen E. Levin, who handled pre-trial proceedings in all class actions filed in the Court of Common Pleas, Philadelphia County. Mr. Clark is admitted to practice in Pennsylvania. Mr. Clark joined Berger & Montague in 1999 and practices consumer fraud and antitrust class action litigation.

**Joy P. Clairmont**

Joy P. Clairmont received her B.A. *cum laude* in international affairs from George Washington University in 1995, and her J.D. from George Washington University Law School in 1998. As a member of the Environmental Lawyer, Ms. Clairmont served as a managing editor and published a Note on the transfrontier movement of hazardous waste. After graduating from law school, she clerked for the Honorable Richard J. Hodgson of the Montgomery County Court of Common Pleas. Since joining Berger & Montague in April 2000, she has concentrated her practice on complex securities class action litigation.

**David A. Langer**

David A. Langer is a graduate of Haverford College (B.A. 1991) and Vermont Law School (J.D. *cum laude* 1999). While in law school, Mr. Langer was a member of the *Vermont Law Review* and also served as a Managing Editor. He was admitted to the Pennsylvania Bar in 1999. Mr. Langer became associated with Berger & Montague in September 1999 and practices in the antitrust complex litigation area.

**Shanon J. Carson**

Shanon J. Carson is a graduate of the Indiana University of Pennsylvania (B.A. *cum laude* 1996 - Criminology) and the Dickinson School of Law of the Pennsylvania State University (J.D. 2000). While in law school, Mr. Carson was Senior Editor of the Dickinson Law Review, and also served as a law clerk for the Honorable William W. Caldwell, Senior Judge, United States District Court, Middle District of Pennsylvania. Since joining Berger & Montague in August of 2000, Mr. Carson

has concentrated his practice in the areas of employment discrimination, civil rights, products liability and other commercial litigation, and complex class action litigation. Mr. Carson is admitted to practice in the Commonwealth of Pennsylvania.

**Jenna MacNaughton-Wong**

Jenna MacNaughton-Wong graduated from Tulane University in 1998, *summa cum laude*, Phi Beta Kappa, with departmental honors in Political Science and German. She went on to study at the University of Pennsylvania Law School, where she was the Symposium Editor for the University of Pennsylvania Journal of Constitutional Law, taught legal writing to L.L.M. students, and was active on the board of the Guild Food Stamp Clinic. Ms. MacNaughton-Wong received a Public Interest/Public Service Recognition Award for donating over 80 hours to public interest work. She graduated from the Law School in 2001.

Ms. MacNaughton-Wong joined Berger & Montague in September of 2001, and practices in the areas of antitrust, general, and complex litigation.

**Casey M. Preston**

Mr. Casey is a graduate of the Citadel (B.S. 1995) and the Villanova University School of Law (J.D. 2000). Upon graduation from law school, Mr. Preston served as a law clerk for the Honorable William J. Nealon of the United States District Court for the Middle District of Pennsylvania as well as for the Honorable Terrance R. Nelson of the Lackawanna County Court of Common Pleas. Mr. Preston joined Berger & Montague in July 2002 and practices in the complex securities class action litigation area. Mr. Preston is admitted to practice law in Pennsylvania.

**Daniel Simons**

Mr. Simons is a member of Berger & Montague's Antitrust Department. He received a Bachelor of Arts in Political Science, *magna cum laude*, from Yeshiva University in 1997. In addition to winning the Political Science departmental award two years running, Mr. Simons also garnered three awards for scholastics and student leadership upon graduation.

He earned his J.D. with honors, at Temple Law School in May, 2000, where he headed three student groups, served on Temple Law Review, and interned in the Health Care Fraud Unit of the United States Attorney's Office. Following graduation, he clerked for the Honorable Berle M. Schiller of the Eastern District of Pennsylvania. He has also served as a volunteer in the Philadelphia Reads Program.

Mr. Simons is admitted to practice in Pennsylvania and New Jersey, as well as in the United States District Courts for the Eastern District of Pennsylvania and for the District of New Jersey. He is a member of the American Bar Association and its Antitrust Section.

#### **Latonda Dunbar**

Latonda Dunbar graduated from DePaul University in 1994, with a Bachelor of Arts in Economics. Prior to law school, Ms. Dunbar worked in the insurance industry as a commercial lines underwriter and reinsurance consultant. She went on to study at the University of Pennsylvania Law School, where she represented University of Pennsylvania in the 2002 Jessup International Moot Court Competition. She graduated from the Law School in 2003.

Ms. Dunbar joined Berger & Montague in August 2003, and practices in the area of securities litigation.

#### **Candace Enders**

Candice Enders is a member of Berger & Montague's antitrust department. She received a B.A. in political science from the University of Delaware in 2000 and earned her J.D. from the University of Pennsylvania in 2003.

While in law school, Ms. Enders served as a senior editor on the Journal of Labor and Employment Law, volunteered as a legal advocate at the Custody and Support Assistance Clinic, and interned at Philadelphia City Council.

#### **Jon J. Lambiras**

Jon J. Lambiras is a graduate of Pepperdine University School of Law (J.D. 2003), and Bryant College (B.S. in Accounting, cum laude 1996). While in law school, Mr. Lambiras was a Lead

Articles Editor for the Pepperdine Law Review. He has published articles entitled *White-Collar Crime: Why the Sentencing Disparity Despite Uniform Guidelines?*, 30 PEPP. L. REV. 459 (2003) (named "Student Article of the Year" by the Pepperdine Law Review), and *Inside Job: A Guide to Insider Trading*, 17 THE WHITE PAPER 23 (July/Aug. 2003).

Mr. Lambiras is also a Certified Public Accountant and Certified Fraud Examiner. Prior to law school, he practiced accounting for four years as an auditor of public and private corporations.

Since joining Berger & Montague in September 2003, Mr. Lambiras has practiced primarily in the area of securities class action litigation.

**Shoshana Twersky**

Shoshana Twersky received a B.A. from the University of Pennsylvania in 1999. She graduated from Temple Law School in 2003 and is admitted to practice law in Pennsylvania. Ms. Twersky is an associate in the securities department.



**OF COUNSEL:**

**Stanley R. Wolfe**

Stanley R. Wolfe is a graduate of Cornell University (B.A. 1963) and Yale University (L.L.B. 1966). He was a senior shareholder of the firm and was Co-Chairperson of the firm's Securities Litigation Department for over 20 years. Mr. Wolfe is a former Special Assistant Attorney General (1970-1972) and a former Deputy Attorney General (1972-1974). He is admitted to practice law in the Commonwealth of Pennsylvania.

Mr. Wolfe served as chief trial counsel in several securities actions including, among others, the combined antitrust-securities action, *Allen Organ Co. v. Rockwell International*, which was successfully settled after four months of trial before Judge Troutman in June 1976, and *Kaplan v. T. Rowe Price Association, Inc.*, a securities class action which was successfully settled in May 1981, during a jury trial in Baltimore. He played a leading role in settled class and derivative actions including *In re Storage Technology Securities Litigation* and *Sally Felzen, et al. v. Ryal R. Poppa, et al. and Storage Technology Corp.*, where a \$55 million settlement was approved on December 1, 1995; *In re Tucson Electric Power Company Securities Litigation*, where a \$30 million settlement of class and derivative actions was approved, and *In re Philadelphia Electric Company Derivative Litigation*, where a \$34 million settlement was approved. In the *Greenway Capital Corporation* arbitration in 1997, Mr. Wolfe secured an award of punitive damages for the firm's client.

Mr. Wolfe is active at the Jewish Federation of Greater Philadelphia where he has been a member of the Board of Trustees for the past ten years. He is currently chairman of the Allocations & Priorities Process Review Task Force and has been a member of the Committee on Allocations and Planning for the past four years. He is a member of the Board of Directors of the Public Interest Law Center of Philadelphia ("PILCOP") of which he was the Chairperson from 1982 to 1984. He is also a member of the Board of Directors of the Germantown Jewish Center.

**Carey R. D'Avino**

Mr. D'Avino is of counsel to Berger & Montague, P.C. in Philadelphia. He has practiced in the field of international law for more than 20 years and his practice is currently concentrated in international human rights class action litigation. He received a B.A., with honors, from Colgate University and his J.D., with honors, from Emory University Law School, where he served as an Editor, Emory Law

Journal. He is the inaugural John Henry Hobart Fellow in Ethics and Social Justice at Hobart and William Smith Colleges and he is a member of the Board of Directors of the American Anti-Slavery Group, a Boston based human rights foundation dedicated to the eradication of slavery and forced labor around the world.

Mr. D'Avino is a member of the Bar in New York State and the United States Virgin Islands. He is admitted to practice law in the United States District Court for the Eastern District of New York, the United States District Court for the Southern District of New York, the Virgin Islands District Court, the United States Court of Appeals for the Third Circuit, and the United States Court of Appeals for the Second Circuit.

He served as class counsel in each of the following Holocaust related class actions: *In re Holocaust Victims Assets Litigation*, No. 96 CV 4849; *Helene Pollack, et al., v. Siemens A.G. et. al.*, No. 98 CV 5489; *Marta Cornell, et. al. v. Assicurazioni Generali S.p.a., et. al.*, No. 97 CV 2262; *Watman et. al. v. Deutsche Bank, Dresdner Bank, Creditanstalt, et al.*, No. 98 CV 9186; *Burger-Fisher, et. al. v. Degussa*, No. 98 CV 3958; *Jack Bressler et. al. v. Phillip Holzmann AG, et. al.*, No. 98 CV 6335; *Anna Gutwillig, et. al. v. Steyer-Daimler-Pusch A.G.*, 98 CV 6336 and *Kluge, et.al. v. Raiffeisen Zentral, et. al.*, 00 CV 2851. He is an individual signatory of the German and Austrian Holocaust settlement agreements including the Joint Statement establishing the terms of the German Foundation "Remembrance, Responsibility and Future" executed on July 17, 2000, the Joint Statement establishing the terms of the Austrian Fund "Reconciliation, Peace and Cooperation" executed on October 24, 2000, and the Joint Statement establishing the terms of the "Austrian General Settlement Fund", on January 17, 2001.

The international human rights matters currently being handled by Mr. D'Avino include cases against:

(a) Talisman Energy, Inc. and The Republic of Sudan for genocide complicity in Southern Sudan, *Presbyterian Church of Sudan v. Talisman Energy, Inc. and The Republic of Sudan*, 2003 U.S. Dist. Lexis 4085 (S.D.N.Y. March 19, 2003) (denying motion to dismiss);

(b) Royal Dutch/Shell for complicity in human-rights-violations in the Niger Delta against the Ogoni people, *Kiobel, et al. v. Royal Dutch Petroleum Co. and Shell Transport and Trading p.l.c.*, 02-CV-7618 (S.D.N.Y.); and

(c) Bayer AG and Schering AG for participation in the chemical sterilization of a concentration camp inmate. *Rozenkier v. Bayer*, No. 03-CV-1422 (E.D.N.Y.)

**Jay Robert Stiefel**

Jay Robert Stiefel studied History at the University of Pennsylvania (B.A. with Distinction 1968, General Honors Program, Dean's List) and as a graduate student at Oxford University (Christ Church, 1968-69), where he was elected Chairman of the Graduate Common Room, chaired the Shakespeare at Stratford program and was a member of the Christ Church and Oxford University Boat Clubs. His International Relations degree from the University of Pennsylvania (M.A. 1971) was pursuant to an interdisciplinary program including courses in International Law at the Law School and Economics at the Wharton School of Business. He was elected a member of the Executive Committee of the International Relations Program of the Graduate School of Arts & Sciences (1970-71).

Mr. Stiefel worked at the British House of Commons as a member of the Conservative Parliamentary Power Committee's Subcommittee on Amendments, chaired by Sir John Eden, Bt., and as Parliamentary Personal Assistant to Sir Peter F.H. Emery, P.C. (1969-70). Other residencies and work abroad, and nineteen years of linguistic studies, including at the Universités de Bordeaux et de la Toulouse (French, Certificat d'Assiduité 1965), have made Mr. Stiefel conversant in foreign languages, customs and practices. He was one of two U.S. Delegates to the International Conference on the U.S. Bicentennial, Philadelphia (1970).

Mr. Stiefel graduated from the Dickinson School of Law (J.D. 1974) where he was an editor of the Dickinson Law Review and a member of the Appellate Moot Court Board and of the Legal Aid Society. He completed programs on Public and Private International Law at the Hague Academy of International Law, The Netherlands, where he served as U.S. Embassy Liaison (1972); and on the British legal system at Emmanuel College, Cambridge University (1997, 1998). He has lectured on law at Temple University and authored law review articles on International and Constitutional Law. For his paper, "The Rights of the Accused Before Trial," delivered at Oxford University (1977), Mr. Stiefel was awarded le Prix des Anciens Presidents, the top prize of the Association Internationale des Jeunes Avocats (Young Lawyers International Association), a bar association whose U.S. operations he was elected to head (1978). He received the Outstanding Service Award of the Young Lawyers' Section of the Philadelphia Bar Association for his service on its Executive Committee

(1981). He has also served on the PBA's Committees on International Law, Services to the Spanish-speaking Community, the Federal Courts and Lawyers for the Arts.

Mr. Stiefel has played a lead or principal role in complex securities actions throughout the country, in which many legal precedents were established and significant monetary and remedial benefits achieved. These include, among others, *Employee Solutions Securities Litigation*, Master File No. Civ-97-545-PHX-RGS (OMP) (D. Ariz.) (class settlement of in excess of \$15 million); *Rospatch Corporation Securities Litigation*, Case No. 1:90-CV-806 et al. (W.D. Mich.) (class settlement of in excess of \$6.5 million); *Long Island Lighting Company Securities Litigation*, 84-CIV-0588 (LDW) (E.D.N.Y.) (class settlement of in excess of \$48.5 million); *Washington Public Power Supply System Securities Litigation*, M.D.L. 551 (W.D. Wash) (class settlements of over \$700 million); *Charal v. Andes* (re *The Franklin Mint*), C.A. Nos. 77-1725 and 78-1610 (E.D. Pa.) (\$6 million class settlement); *Dura-Bilt Corporation v. Chase Manhattan Corp.*, 79 Civ. 4666, 71 Civ. 3800 (S.D.N.Y.); *Berman v. HNC Mortgage & Realty Investors*, C.A. No. B78-111 (D.Conn.); *AM International, Inc. Securities Litigation*, M.D.L. No. 494 (S.D.N.Y.) (class settlements of cash and warrants valued at approximately \$20 million); *Cincinnati Gas & Electric Company Securities Litigation*, Master File No. C-1-83-1721 (S.D. Ohio) (class settlement of \$13.9 million); *Consumers Power Company Securities Litigation*, Civ. Act. No. 83-CV-6448 AA(E.D. Mich); *Oak Industries Securities Litigation*, No. 83-0537-G(M) (S.D. Cal.) (class settlement of in excess of \$33 million); *Lundy v. Interfirst Corporation*, No. 3-84-0952H (N.D. Tex.) (class settlement of \$6.7 million); and *Council on Social Work Education, Inc., et al. v. Texas Instruments Inc., et al.*, C.A. No. CA-83-1083-H (N.D. Tex.) (class settlement of \$12 million).

Mr. Stiefel has been a board member of various cultural and civic organizations in Philadelphia, including the Philadelphia Chamber Orchestra, Historic Rittenhouse, Inc., the Oxford & Cambridge Society, which he co-founded, and the Center City Residents' Association, whose Celebration of Center City Living he chaired (1995). He is also a member of the Library Company of Philadelphia, the Schuylkill River Development Council, and the Committee on Foreign Relations. His philanthropic interests include Independence Hall National Historical Park and various university museums and libraries, for which he was inducted into the De La Salle Society (2001). His sports are squash, tennis, and hiking. He is a member of the Philadelphia Club.

Mr. Stiefel also lectures and writes about the history of early American commerce and the decorative arts. He has lectured at Winterthur Museum and before various groups from the

Decorative Arts Trust, Independence Hall, and the Libraries of the University of Pennsylvania, among others. Mr. Stiefel serves on the Advisory Committee of the Delaware Antiques Show for Winterthur (1998-present). He has been admitted to various Attingham Trust educational programs in Great Britain and elsewhere (Summer School, 1996; and several Study Weeks since). Mr. Stiefel's "Philadelphia Cabinetmaking and Commerce, 1718-1753: the Account Book of John Head, Joiner" and "The Head Account Book as Artifact" inaugurated the American Philosophical Society's online historical journal, the *Library Bulletin*, vol. 1, no. 1, new series (Winter 2001); and were the subject of two feature articles: Lita Solis-Cohen, "Account Book Becomes Rosetta Stone for Philadelphia Furniture," *Maine Antiques Digest* (April 2001), and "The Cabinetmaker's Account," *Masterpiece* (June 2001). His forthcoming article on Philadelphia pewterer Simon Edgell will appear in the *Bulletin of the Pewter Collectors' Club of America* (Winter 2002).

Mr. Stiefel is admitted to practice in the Commonwealth of Pennsylvania and before other federal courts throughout the country.

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